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SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/131,523	10/01/93	LUDWIG	

B3M1/0415

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EXAMINER
DIHHS, D

ART UNIT	PAPER NUMBER
2317	25

04/15/97

DATE MAILED:

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☐ This application has been examined ☒ Responsive to communication filed on 12-3-76 ☒ This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input type="checkbox"/> Notice of Draftsman's Patent Drawing Review, PTO-948. |
| 3. <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, PTO-152. |
| 5. <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

1. ☒ Claims 1-28 are pending in the application.
Of the above, claims 57, 62-65, 187-193, 195, 197-199, 202-206, 211-214 are withdrawn from consideration.
2. ☒ Claims 1-56, 68, 70, 72-186, 194, 196 have been cancelled.
3. ☒ Claims ~~208, 71, 209-210~~ 218, 197-206, 215-217 are allowed.
4. ☒ Claims 58-61, 66-67, 207 are rejected.
5. ☒ Claims 208, 71, 209-210 are objected to.
6. ☐ Claims are subject to restriction or election requirement.
7. ☒ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable; ☐ not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner; ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed _____, has been ☐ approved; ☐ disapproved (see explanation).
12. ☐ Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has ☐ been received ☐ not been received ☐ been filed in parent application, serial no. _____, filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☒ Other interview Summary

EXAMINER'S ACTION

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Art Unit: 2317

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Part III DETAILED ACTION

Applicant's arguments filed 12-6-96 have been fully considered but they are not persuasive.

Applicant argued that Champa does not teach a network switch at the third location, and that Champa's DVS is controlled by a operator. The argument is not persuasive because Col.2 lines 12-15, Champa clearly disclose that the DVS is a network switch. Col.2 lines 17-27, Champa clearly stated that the purpose of the DVS is for routing A/V signal.

Champa discloses the DVS on col.8 line 10 "Further it is possible to employ voice activated signal ... and use that signal to select video signal for transmittal to all sites... the switching may be prioritized by source or delayed ...". Champa discloses on col.2 lines 50-51 that the DVS can support a plurality of conferences simultaneously. It is apparent that the term "all sites" referred to all sites participating in a particular conference not all sites connected to the DVS. Hence, Champa teaches selective routing of the A/V signal from a first location to a second location via a third location (the DVS site) without decompressing the A/V signal.

Claims 57, 62-65, 187-193, 195 197-199, 202-206 are withdrawn from further consideration by the examiner, 37 C.F.R. § 1.142(b) as being drawn to a nonelected species. Election was

made **without** traverse in telephonic interview on 09/30/96 with Applicant's representative Criag Opperman.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 C.F.R. § 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. M.P.E.P. § 809.02(a).

Should applicant traverse on the ground that the species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C. § 103 of the other invention.

New claims 213 and 214 are dependent on non-elected claims. Hence they are not considered.

New claims 211-212 are additional species to the generic claim 207. Hence they are not considered.

Claims 215 and 216 are dependent upon canceled claim 196. They are changed to depend upon the corresponding new claim 218.

Claims 218 and its dependent claims - 197-206, 215-217, are allowable over the prior art of record.

Claims 208 and its dependent claims - 71, 209-210, are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --
(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.*

Claims 207, 58-61, 66-67 are rejected under 35 U.S.C.

§ 102(e) as being anticipated by the Champa US patent 5,315,633.

As per claim 207, Champa teaches a teleconferencing system essentially as claimed comprising:

- a) first, second [figs 4] and third [fig.5] locations;
- b) at least one workstation [fig.4 #52,#51,#49,#43] with audio and video capture and reproduction capabilities;
- c) first, second codecs [fig.4 #41], and third codecs [fig.5 #76] at said first, second and third locations;
- d) an AV path [fig.4 # 45] connecting the first workstation [fig.4] to a second work station [another station as in fig.4] via a third location [fig.5 DVS, see col.7 lines 34-40];
- e) a network switch [fig.4 #54] associated with at least one of the first or second location to route compressed AV signal along the AV path;

f) a switch [fig.5 switch #57] at the third location operable to route compressed AV signals to other locations without said compressed AV signals being decompressed by said third codec [apparent from col.6 and fig.5 - from fig.5, it is clear that the third codec (76) only code/decode signal for the link 75. All other signal would pass through the switch untouched by the codec 76].

As per claims 58-61, Champa teaches using dedicated line [fig.5 #77, col.7 line4-9], and dial up link [col.7 lines 10-33, "lease line"] connecting first and second stations to the third station.

As per claim 66, Champa teaches signal router [fig.5 switch #57].

As per claim 67, Champa teaches route the signal base on the actual state of the AV paths [col.8 lines 6-18].

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for response to this final action is set to expire THREE MONTHS from the date of this action. In the event a first response is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for response expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dung Dinh whose telephone number is (703) 305-9655. The examiner can normally be reached on Monday-Thursday from 7:00 AM - 4:30 PM. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached at (703) 305-9717. The fax phone number for this group is (703) 308-5359.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.



D Dinh
Patent Examiner
April. 11, 1996

Response Amendment

USSN 08/131,523

#26/J
BH
5-6-97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: LUDWIG, L. et al.
Serial No: 08/131,523
Filed: October 1, 1993
For: MULTIMEDIA COLLABORATION SYSTEM

Docket No: VCOR-001/02 US
Art Unit: 2317
Examiner: Dung Dinh

Assistant Commissioner of Patents
Application Processing Division
Washington, D.C. 20231

APR 24 1997

OFFICIAL

AMENDMENT

Please amend the claims as follows in response to the Office Action dated April 15,

1997:

OK to
enter
28
3/5/97

23 65. (Once Amended) The teleconferencing system of claim ²²64, [further comprising:

5 (a) means for combining] wherein the audio sumner is configured to combine a part of [said] the audio sum with the captured audio of another [of said] participant[s] to generate a composite audio sum for reproduction at the workstation of at least one [of said] participant[s].

Certificate of Facsimile Mailing

I hereby certify that this correspondence is being transmitted by facsimile addressed to Examiner Dung Dinh, Art Unit 2317, Facsimile Number (703) 308-5359, at United States Patent and Trademark office, Washington, D.C. 20231, at 6:38 p.m. on April 24, 1997

Date: April 24, 1997

By:

Jelicia Walker

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